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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as elected Office

Date of mailing (day/month/year) 03 September 2001 (03.09.01)	
International application No. PCT/US00/24594	Applicant's or agent's file reference 927290
International filing date (day/month/year) 06 September 2000 (06.09.00)	Priority date (day/month/year) 07 September 1999 (07.09.99)
Applicant LEVIN, Michael, S. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
04 April 2001 (04.04.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

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Authorized officer

R. Forax

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

10/070770

Applicant's or agent's file reference 927290	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/24594	International filing date (day/month/year) 06 September 2000 (06.09.2000)	Priority date (day/month/year) 07 September 1999 (07.09.1999)
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 17/60 and US Cl.: 705/26		
Applicant E-STEEL CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 04 April 2001 (04.04.2001)	Date of completion of this report 24 October 2002 (24.10.2002)
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer Mark A Fadok Telephone No. (703) 3081113

Form PCT/IPEA/409 (cover sheet)(July 1998)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/24594

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
 pages 1-15 as originally filed
 pages NONE filed with the demand
 pages NONE filed with the letter of _____
- ☒ the claims:
 pages 16-18 as originally filed
 pages NONE as amended (together with any statement) under Article 19
 pages NONE filed with the demand
 pages NONE filed with the letter of _____
- ☒ the drawings:
 pages 1-15 as originally filed
 pages NONE filed with the demand
 pages NONE filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages NONE as originally filed
 pages NONE filed with the demand
 pages NONE filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US00/24594

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)

Claims NONE YES

Claims 1-22 NO

Inventive Step (IS)

Claims NONE YES

Claims 1-22 NO

Industrial Applicability (IA)

Claims 1-22 YES

Claims NONE NO

2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Claims 1-5,6-8, and 10-22 lack novelty under PCT Article 33(2) as being anticipated by Walker et al. (5,794,207).

In response to claim 1, Walker teaches an on-line exchange system for buying and selling steel products, comprising: a server coupled to a data communication network for hosting the on-line exchange system (FIG 1); a transaction database coupled to the server for storing information regarding transactions that are executed through the system (FIG 2); and

an exchange module operating at the server for enabling the buying and selling of steel products through the system between a plurality of buyers and sellers that are operatively coupled to the server via the data communication network (FIG 2, Item 245).

In response to claim 2, Walker teaches a user database coupled to the server for storing information regarding the plurality of buyers and sellers that are registered to execute transactions through the system (FIG 2, Item 250).

In response to claim 3, Walker teaches an accounting database for storing a plurality of financial reports generated by the system that summarize the executed transactions (col 12, lines 54-67, col 13, lines 60-63).

In response to claim 4, Walker teaches a mirror database that stores a replica of the transaction information stored in the transaction database; and a practice field module operating at the server and coupled to the mirror database for enabling buyers and sellers to practice executing transactions through the system. Redundant databases are old and well known in the art and could therefore be present in the invention of Walker if so desired.

In response to claim 6, Walker teaches wherein the server includes a system server for operating the exchange module and a database server controlling access to the transaction database (FIG 2).

In response to claim 7, Walker teaches wherein the exchange module includes:

a data input interface for inputting sale offers and purchase inquiries into the system;

a search interface for searching the information stored in the transaction database; and

a tracking interface for displaying any offers or inquiries input into the system that are related to a particular buyer or seller (FIG 2).

In response to claim 8, Walker teaches an interface for setting one or more dynamic transaction filters that control which of the plurality of buyers and sellers can access a particular offer or inquiry (abstract, search for relevant buyer offers).

In response to claim 10, Walker teaches wherein the data input interface includes:

a product selection screen for selecting a type of steel product to be bought or sold through the system;

a product specification screen for selecting the specifications of the product to be bought or sold through the system; and

a terms and conditions screen for selecting the commercial terms and conditions of the product to be bought or sold through the system. Product selection screens, product specifications and terms and condition screens are old and well known in the art and could therefore be incorporated as tools to complete the transactions as taught by Walker (also see FIG 5).

In response to claim 11, Walker teaches wherein the data input interface further includes:

a posting options selection screen for selecting certain of the plurality of buyers and sellers to receive a direct communication of the

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/24594

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) :G06F 17/60

US CL :705/26, 37

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 705/26, 37

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

STN; DIALOG

terms searched: product, service, offer, exchange, steel, buyer, seller, database, transaction

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim N .
Y,E	US 6,141,653 A (CONKLIN et al.) 31 October 2000, Abstract; col. 13, lines 66-67; col. 14, lines 1-67; col. 15, lines 1-33; col. 17, lines 14-67; col. 18, lines 1-37; col. 19, lines 14-67; col. 20, lines 1-48; col. 23, lines 42-67; col. 26, lines 53-64; col. 33, lines 7-27; fig. 1k [214]; fig. 1g [50, 54, 58, 68, 70, 78]; fig. 2a [16cf, 16af]; fig. 5a [210s, 222, 225, 22L, 08]	1-22
Y	US 5,794,207 A (WALKER et al.) 11 August 1998, Abstract, col. 8, line 27 - col. 11, line 3.	1-22
Y	US 5,862,223 A (WALKER et al.) 19 January 1999, Abstract; fig. 1 [400, 500, 200]; fig. 2 [200, 245]; col. 6, line 56 - col. 11, line 56.	1-22

☒ Further documents are listed in the continuation of Box C.
 ☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

07 DECEMBER 2000

Date of mailing of the international search report

12 JAN 2001

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/24594

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Cate g ry*	Citati n f document, with indication, where appropriate, of the relevant passages	Relevant to claim N .
Y,P	US 5,970,475 A (BARNES et al.) 19 October 1999, Abstract; fig. 1 [16, 12, 14]; col. 3 line 5 - col. 4, line 26	1-22
Y,P	US 6,058,379 A (ODOM et al.) 02 May 2000, Abstract; fig. 1 [100, 110, 170]; col. 2, line 29 - col. 3, line 60; col. 4, lines 15-67; col. 5, line 1 - col. 10, line 35.	1-22
Y	US 5,835,896 A (FISHER et al.) 10 November 1998, Abstract; col. 2, lines 10-67; col. 4, lines 32-67; col. 5, lines 1-27; col. 6, line 4 - col. 9, line 47.	1-22
Y	US 5,799,284 A (BOURQUIN) 25 August 1998, Abstract; col. 2, lines 40-59; col. 3, line 42 - col. 6, line 15.	1-22

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

product to be bought or sold through the system (abstract and FIG 5 & 9).

In response to claim 12, Walker teaches an address book from which the plurality of buyers and sellers that are to receive the direct communication can be selected (col 10, lines 57-67).

In response to claim 13, Walker teaches wherein the data input interface further includes a loading dock display screen that displays a listing of the selected products and the selected product specifications that have been input into the system for a particular buyer or seller (FIGs 5-12).

In response to claim 14, Walker teaches wherein the server is a web server, and the data communication network is the Internet (col 12, lines 8-21).

In response to claim 15, Walker teaches wherein the dynamic transaction filters include a dynamic transaction filter for limiting, by specific buyer or seller, which buyers or sellers can access a particular offer or inquiry (FIG 10, item 1020).

In response to claim 16, Walker teaches wherein the dynamic transaction filters include a dynamic transaction filter for limiting, by specific class of buyer or seller, which classes of buyers or sellers can access a particular offer or inquiry (col. 19, lines 29-44).

In response to claim 17, 18, and 19, Walker teaches wherein the specific class of buyer or seller relates to the geographic location of the buyer or seller. Databases 255 and 260 contain address information of the buyer and seller and the other databases in FIG 2 collect profile information concerning profiles and preference of the buyers and sellers. Since it is old and well known in the art to use location and profiles as discriminator when matching buyers with sellers, Walker could include these discriminators if so desired.

In response to claim 20, Walker discloses an on-line system for buying and selling a particular type of commodity, comprising:

an exchange module for inputting offers to sell the commodity into the system and for inputting inquiries to buy the commodity into the system;

a transaction database for storing the offers and inquiries, and for storing any completed transactions between a plurality of buyers and sellers (see response to claim 1 and FIGs 5-10); and

a practice field module for enabling the plurality of buyers and sellers to practice inputting offers and inquiries into the system and completing transactions (see response to claim 4).

In response to claim 21, Walker teaches wherein the commodity is steel. Walker does not limit the commodity that can be sold with the system and can therefore include the sale of Steel.

In response to claim 22, Walker teaches a commodity exchange system, comprising:

an exchange module for inputting offers and inquiries into the system and for negotiating the purchase and sale of a particular commodity;

a transaction database for storing the offers and inquiries; and

a plurality of dynamic transaction filters for controlling the commercial terms and conditions of sale associated with the offers and inquiries input into the system (FIG 2 and see response to claims 15-19).

Claim 5 lacks an inventive step under PCT Article 33(3) as being obvious over Walker in view of Bourquin (5,799,284).

In response to claim 5, Walker teaches an industry insider module for storing and presenting information regarding the steel industry to the plurality of buyers and sellers. Walker teaches a system of conducting online transactions and offering information concerning a particular product, but does not specifically mention a separate module for storing and presenting information about a particular product or industry. Bourquin teaches a system for logging onto a server and publishing information about a particular product or service. It would be obvious to person of ordinary skill in the art of include in Walker the information publishing system as taught by Bourquin, because the buyer need to obtain information about a product and if the information is not available on the site the buyer would be forced to leave the site to retain the information required to complete the buying process.

Claim 9 lacks an inventive step under PCT Article 33(3) as being obvious over Walker in view of Fisher et al. (5,835,896).

In response to claim 9, Walker teaches wherein the data input interface includes a graphical product selection screen that displays a graphical depiction of a plurality of types of steel products that can be bought or sold through the system. Walker teaches the presentation of information about a plurality of products, but does not specifically mention displaying a graphical image. Fisher teaches communicating textual and image information from a host to a display (col 3, lines 1-17). It would be obvious to a person of ordinary skill in the art to include in Walker the displaying of a graphical image as taught by Fisher, because graphical images can make it easier to describe a product and its features.